



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 9, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-34897 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

1. Title 19.04.010 is hereby amended as follows:

19.04.010 LAND USE TABLES

**Table 2 – Land Use Table
Retail & Personal Services**

USE	RESIDENTIAL												COMMERCIAL				INDUSTRIAL					
Bakery, Retail	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M	
														P	A		P	P	S	P	P	
	Description: An establishment which specializes in baked goods <u>such as doughnuts, cookies, pastries or other similar goods</u> for retail sale but does not provide meals as found in a restaurant.																					
	On-site Parking Requirement: One space for each 400 175 square feet of gross floor area.																					

2. Title 19.20.020 “Words and Terms Defined” is hereby amended as follows:

Bakery, Retail. An establishment which specializes in baked goods such as doughnuts, cookies, pastries or other similar goods for retail sale but does not provide meals as found in a restaurant.

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**** STAFF REPORT ****

APPLICATION REQUEST

This is a request to amend the Description and On-Site Parking Requirements for the Bakery, Retail use entry in Table 2 of Title 19.04 and the corresponding Definition in Title 19.20.020. The change to the description and definition adds clarity to what is meant by the term “baked goods” by providing examples of such items. The amendment also requests to change the parking requirement ratio to 1 space per 175 square feet of gross floor area (GFA).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/02/06	The City Council adopted Ordinance #5842 which amended Title 19 to consolidate use descriptions, conditional and special use permit requirements, and on-site parking requirements into one table (Table 2). The Planning Commission and staff recommended approval of the Text Amendment (TXT-9890) which was heard at the City Council as Bill Number 2006-36.
06/03/09	The City Council adopted Ordinance #6041 which amended Title 19 to make various corrections and to add several uses, including the Bakery, Retail use. The Planning Commission and staff recommended approval of the Text Amendment (TXT-32865) which was heard at the City Council as Bill Number 2009-18.

Prior to changes made by Ordinance #5842 on-site parking requirements were tabulated in Title 19.10 and included an on-site parking requirement for a Delicatessen/Doughnut Shop at a ratio of 1 space per 100 square feet of GFA. No such use was specifically called out in the land use table in Title 19.04; thus the standard was repealed pursuant to Section 7 of the ordinance.

ANALYSIS

When the Bakery, Retail use was proposed as a part of the larger amendment adopted as Ordinance #6041, the parking ratio was deemed to most closely be related to the former delicatessen/doughnut shop parking standard. However, further review of the nature of the use as defined “baked goods for retail sale but does not provide meals as found in a restaurant” indicates that the use is not anticipated to have as intense a parking demand as currently provided for with the parking requirement of 1 space per 100 square feet of gross floor area. A more reasonable standard to deal with the anticipated parking demand of a use of this intensity is 1 space per 175 square feet of gross floor area. This standard, which is appropriate for small to medium scale (usually less than 25,000 square feet) general retail uses, should be adequate to meet the needs of the Bakery, Retail use.

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Additionally, further review and comments following the adoption of the Bakery, Retail use indicate that the term “baked goods” needs to be clarified by expressing in some way what is meant by the term. To this end the description in Table 2 of Title 19.04.010 and the definition found in Title 19.20.020 for the Bakery, Retail use will be revised to indicate that “baked goods” refers to items such as doughnuts, cookies, pastries and other similar goods.

FINDINGS

The proposed text amendment will achieve the following:

- Adjust the parking requirement for the Bakery, Retail use from a more stringent requirement that is more in keeping with a drive-through restaurant use to one that is more reasonable and similar to a general retail use.
- Provide clarification regarding what is meant by the term “baked goods” by providing examples in the use’s description and definition.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.04.010 Land Use Tables – Bakery, Retail	<ul style="list-style-type: none"> • It is not clear what is meant by “baked goods” in the use description • Parking is calculated on a ratio of 1 space per 100 square feet of gross floor area 	<ul style="list-style-type: none"> • Examples of baked goods added • Parking to be calculated on a ratio of 1 space per 175 square feet of gross floor area
Title 19.20.020 Words and Terms Defined – Bakery, Retail	<ul style="list-style-type: none"> • It is not clear what is meant by “baked goods” in the definition 	<ul style="list-style-type: none"> • Examples of baked goods added

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT

SENATE DISTRICT

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0